The increased demand for long-term care services driven by an aging U.S. population presents daunting challenges for industry providers. Harris Beach delivers a full complement of professional services to help clients in the rapidly growing long-term care industry manage their complex and evolving regulatory, operational and legal challenges so as to continue to provide their vital support services.

From strategic advice and counsel on proactive risk management practices to defending providers in state and federal court against claims of negligence and regulatory violations, Harris Beach delivers the following services to support long-term care industry participants including skilled nursing and assisted living facilities:

**Regulatory Compliance**
We help long-term care providers create an environment of compliance with applicable state and federal laws and regulations. We assist with the development and implementation of corporate compliance programs and offer strategic advice and guidance to reduce exposure to legal, financial, operational and reputational risks. Our professionals counsel clients in all forms of corporate and business operations as to potential compliance risks and related exposures relative to:
- Stark Law
- Anti-Kickback Statute
- Civil Monetary Penalties Law
- False Claims Act
- Antitrust laws
- HIPAA, HITECH Act and state privacy provisions

**General Corporate**
We have extensive experience counseling both tax-exempt and taxable long-term care facilities in their corporate affairs including:
- Contract Formation and Review
- Corporate Structuring and Reorganization
- Government Filings and Internal Documentation
- Mergers, Acquisitions, Affiliations and Divestitures
- Licensure Issues

**Labor and Employment Law**
We advise long-term care providers on a full range of labor and employment matters including:
- Affordable Care Act Compliance
- Collective Bargaining and other Organized Labor Issues
- Employee Benefits
• Employee Issues involving:
  o ADA
  o Discrimination
  o Employee Agreements
  o FMLA
  o Harassment
  o Professional Misconduct
  o Retaliation
  o Staffing
  o Termination
  o Wage and Hour
  o Whistleblowing
• Immigration Law
• Personnel Policies and Training

**Long-Term Care Litigation and Risk Management**

Our seasoned trial attorneys have extensive experience defending numerous long-term care providers over the past decade. We have represented health care industry participants in over 100 jury trials to verdict across New York state with a 90 percent success rate. We also handle mediation in cases where that is the best course of action. Our team of attorneys and nurse consultants has also defended clients in state and federal court and administrative settings in the following matters:

• New York State Public Health Law 2801
• Medical Malpractice
• Negligence and Liability Defense

Claims involving:
  o Abuse and neglect
  o Decubitus ulcers
  o Dehydration
  o Deterioration of chronic illness
  o Eloped
  o Improper use of restraints
  o Inadequate supervision and staffing
  o Injuries
  o Malnutrition
  o Medication errors
  o Patients’ bill of rights violations
  o Potential misconduct
  o Slips and falls
  o Wrongful death
  o Other allegations

• Reimbursement Appeals and Audits
• Professional Discipline

Since the best way to deal with litigation is proactive avoidance, our team also counsels provider clients in risk management matters. We advise long-term facilities and providers on protocols, procedures and documentation designed to promote legal compliance and quality, thereby reducing exposure to lawsuits.

**Operations**

We assist long-term care providers with day-to-day clinical and business operational matters including:

• Admissions and Discharges
• Medical Records and Health Information Management
• Internal Policies and Procedures
• State Reporting Requirements
• Contracting for Clinical and Business Equipment and Supplies
• Contracting for Professional and Administrative Services
• Organization of Professional Staff
• Preparation of By-laws, Rules, Regulations, Policies, Procedures and Protocols
• Securing and Maintaining Tax-Exempt Status
• Treatment and End of Life Decisions

**Real Estate and Environmental**

Harris Beach attorneys provide legal support in the areas of property acquisition and sale, financing, architectural and construction contracting, leasing, and negotiating with local governments to secure all the necessary approvals by meeting zoning, subdivision and environmental requirements.

For more information on how Harris Beach can help your organization, please contact:

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